Docket No. JAB-1751CON2

JUN 2 5 2004 2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jozef Jan Pieter Heykants et al.

Serial No.: 10/807,035

Art Unit:

Filed

: March 23, 2004

Examiner:

For

: (+)-NORCISAPRIDE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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Ellen Ciambrone Coletti

(ame of applicant, assignee, or Registered Representative)

(Signatura)

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

In accordance with \$1.129(a), this Information

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in \$1.97(b) above but before the mailing date of either a Final
Action under \$1.113 or a Notice of Allowance under \$1.311, or
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Please charge Deposit Account No. 10- $\Box$ the fee of \$180.00 as set forth 0750/ §1.17(p). in In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under \$1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with \$1.97(e) as set forth below and the fee of \$180.00 as set forth in \$1.17(p). Copies of each of the references listed on the  $\bowtie$ attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO- $\Box$ 1449 are enclosed herewith EXCEPT THAT: In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. Copies of only foreign patent documents and nonpatent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows: HU 203 724B has English equivalent 4,975,439 attached. French patent 2717174 has English abstract attached.

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JAB-1751/WEM. This form is submitted in triplicate.

patent applications which may be deemed relevant, which are

listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending

Respectfully submitted,

Ellen Ciambrone Coletti

Reg. No. 34,140

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2359 DATED: f-23-04

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 3

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Application Number	10/807,035
Filing Date	March 23, 2004
First Named Inventor	Jozef Heykants et al.
Group Art Unit	
Examiner Name	
Attomey Docket Number	JAB-1751CON2

U.S. PATENT DOCUMENTS							
		U.S. Patent Document			Date of Publication	Pages, Columns, Lines,	
Indiala	Imitiolo	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
		4,820,715		Monkovic et al.	04/11/1989		
		4,975,439		Van Dale et al.	12/04/1990		
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### **FOREIGN PATENT DOCUMENTS** Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or passages or relevant Examiner Cite mm-dd-yyyy T<sup>6</sup> Applicant of Cited Document figures appear Initials Office<sup>3</sup> Number4 KindCode<sup>5</sup> No.1 03/01/1995 EΡ 0 640 601 **A1** Hokuriku Seiyaku Co., Ltd. 03/29/1989 EP 0 309 043 **B1** Janssen Pharmaceutica N.V. 0 076 530 В1 Janssen Pharmaceutica N.V. 04/13/1983 EΡ **B**1 Janssen Pharmaceutica N.V. 01/18/1989 ΕP 0 299 566 0 423 133 **B**1 Sepracor, Inc. 09/20/1995 Т В Janssen Pharmceutica N.V. 06/28/1989 ΗU 203724 09/15/1995 Т FR Α1 2717174 Sanofi SA

Examiner	Date
Signature	Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Application Number	10/807,035
Filing Date	March 23, 2004
First Named Inventor	Jozef Heykants et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	JAB-1751CON2

		U.S. Patent Document		A H	Date of Publication	Pages, Columns, Lines,
Examiner Initials	Cite	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
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FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, Date of Publication Foreign Patent Document where relevant of Cited Document Name of Patentee or passages or relevant T<sup>6</sup> mm-dd-yyyy figures appear Cite **Applicant of Cited Document** Examiner Number<sup>4</sup> KindCode5 Office<sup>3</sup> Initials No.1 06/09/1994 Janssen Pharmaceutica N.V. wo 94/12494 A1 Hikuriku Seiyaku Co., Ltd. 03/01/1995 98/03173 Α1 wo 12/19/1996 A1 Sepracor Inc. 96/40133 wo

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CONFERENCE OF INTOTTRADOR WINESS IN GROPING OF	TOTAL TITLE
Application Number	10/807,035
Filing Date	March 23, 2004
First Named Inventor	Jozef Heykants et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	JAB-1751CON2
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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's	Cite No.1	include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Willem Meuldermans et al., Drug Metabolism and Disposition, Vol. 16, No. 3, EXCRETION AND BIOTRANSFORMATION OF CISAPRIDE IN RATS AFTER ORAL ADMINISTRATION, pages 410-419	
		Willem Meuldermans et al., Drug Metabolism and Disposition, Vol. 16, No. 3, EXCRETION AND BIOTRANSFORMATION OF CISAPRIDE IN DOGS AND HUMANS AFTER ORAL ADMINISTRATION, pages 403-409	
		Karel L.M. Lavrijsen et al., Drug Development Research 8:267-278 (1986), A COMPARATIVE STUDY ON THE IN VITRO METABOLISM OF CISAPRIDE USING SUBCELLULAR LIVER FRACTIONS OF DOG, RABBIT, AND MALE AND FEMALE RATS	
		Georges H.P. Van Daele et al., Drug Development Research 8:225-232 (1986); SYNTHESIS OF CISAPRIDE, A GASTROINTESTINAL STIMULATN DERIVED FROM CIS-4-amino-3- methoxypiperidine	
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	Date
Examiner	Considered
Signature	001000

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### SUBMISSION UNDER MPEP 609 D

Application Number 10/807,035

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Group Art Unit

Examiner Name

Attorney Docket Number JAB-1751CON2

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Page 1 of 1

FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, Foreign Patent Document where relevant passages or relevant figures Name of Patentee or Te Cite Examiner Applicant of Cited Document Number<sup>4</sup> KindCode<sup>5</sup> appear Office<sup>3</sup> Initials No.1 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published T<sup>2</sup> Cite No.1 Examiner Initials\* Hungarian Search Report dated January 14, 2002 for application no. P0003078

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